

JUNCTION CITY PLANNING COMMISSION

AGENDA ITEM SUMMARY



Zoning Text Amendment

Meeting Date: August 19, 2014
Department: Planning
www.junctioncityoregon.gov

Agenda Item Number: 5a
Staff Contact: Jordan Cogburn
Contact Telephone Number: 541-998-4763

ISSUE STATEMENT

The applicant has proposed a text amendment to the Junction City Municipal Code, Title 17, Chapter 17.15. The proposed text amendment would permit Recreational Vehicle Parks in the Duplex Residential (R2) zoning district as a Conditional Use.

BACKGROUND

Currently Recreational Vehicle (RV) Parks are permitting as a Conditional Use in the General Commercial zoning district. Standards for RV Parks are found in JCMC Chapter 17.105 (Exhibit V).

The applicant has also submitted an application for annexation and a separate application to rezone the annexation site. The applications are being processed concurrent with the annexation application

COMMITTEE REVIEW AND/OR RECOMMENDATION

None

RELATED CITY POLICIES

17.145.010 Authorization to initiate amendments. An amendment to the text of this title or the zoning map may be initiated by the city council, by the planning commission or by application of a property owner or his authorized agent. The planning commission shall, within 40 days after a hearing, recommend to the city council approval, denial, or modification of the proposed amendment. An amendment to the text or the zoning map may be consolidated with a related amendment to the comprehensive plan text or map. [Ord. 1170 § 6, 2007; Ord. 950 § 107, 1991.]

CITY ADMINISTRATOR'S COMMENT

The City Administrator requests that the Planning Commission follow process for review of the Zoning text amendment as presented.

POSSIBLE ACTIONS BY THE PLANNING COMMISSION

The Commission may:

- a. Recommend conditional approval of the Zoning text Amendment based on the proposed findings.
- b. Recommend modification of the Zoning text Amendment based on changes to the proposed findings.
- c. Deny the request for a Zoning text Amendment with findings to support the denial.
- d. Continue the public hearing to a date certain if more information is needed.

SUGGESTED MOTION

I make a motion to (approve/conditionally approve/deny/continue) the proposed zoning text amendment from ACTA LLC, file # AMD-14-01 based the findings as stated in the Final Order.

ATTACHMENTS

Staff Report

- I. Proposed Text Amendment
- II. Application
- III. JCMC Chapters 17.145 (Amendments), 17.15 (Duplex Residential), 17.105 (RV Parks) and 17.130 (Conditional Uses)
- IV. Referral Comments
- V. Public Hearing Notice
- VI. Proposed Planning Commission Final Order (AMD-14-01) Rezone, Ivory LLC

FOR MORE INFORMATION

Staff Contact: Jordan Cogburn
Telephone: 541-998-4763
Staff E-Mail: jcplanning@ci.junction-city.or.us

**JUNCTION CITY PLANNING COMMISSION
STAFF REPORT
ZONING TEXT AMENDMENT FILE # AMD-14-01**

Application Submitted:	April 23, 2014
Application Complete:	May 21, 2014
Referrals Sent:	July 17, 2014
Public Notices Mailed:	August 1, 2014
Notice Posted at City Hall:	August 15, 2014
Staff Report Date:	August 7, 2014
Planning Commission:	August, 19 th , 2014
<u>Concurrent Applications:</u>	A-14-01 (Annexation) and RZ-14-02 (Rezone)

Referrals:	Junction City Administrator Junction City Public Works Director Junction City Police Department Junction City Recorder Junction City Building Official Junction City Rural Fire Protection District Junction City School District Junction City Water Control District Lane County Transportation Lane County Land Management Lane Council of Governments Lane County Surveyors Lane County Clerk Oregon Department of Transportation - Region 5 Oregon Division of State Lands Verizon / MCI Century Link Comcast Pacific Power Emerald People Utility District NW Natural Lane Transit District
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BASIC DATA

Property Owner Representative:	Law Office of Bill Kloos
Property Owner:	ACTA LLC
Location:	Highway 99, backs to Prairie Road, south of David Lane
Assessors Map and Tax Lots:	Map 16-04-05-32 TL 00500, 00509, 00900, 01000, 01001, 01002, 01004, and 01006
Area:	13.28 acres
Lane County Zoning:	Rural Residential (RR5), Commercial (C3), Commercial Airport Safety (CAS)
Proposed Junction City Zoning:	General Commercial/Duplex Residential (R2)
Plan Designation:	Commercial/Low and Medium Density Residential

REQUEST

The applicant has proposed a text amendment to the Junction City Municipal Code, Title 17, Chapter 17.15. The proposed text amendment would permit Recreational Vehicle Parks in the Duplex Residential (R2) zoning district as a Conditional Use.

BACKGROUND

Below is the language proposed to be added to the list of Conditional Uses under Section 17.15.020. Section 17.15.020 with the proposed language is attached as Exhibit I.

“Recreational Vehicle Park Developments, as regulated by JCMC 17.105.010 provided that:

- 1. No other such facilities exist within 400 feet; and*
- 2. “The property is located immediately adjacent to an existing commercial zone with a similar use.”*

Currently Recreational Vehicle (RV) Parks are permitting as a Conditional Use in the General Commercial zoning district. Standards for RV Parks are found in JCMC Chapter 17.105 (Exhibit V).

The applicant has also submitted an application for annexation and a separate application to rezone the annexation site. The applications are being processed concurrent with the annexation application.

AUTHORIZATION TO INITIATE AMENDMENTS

17.145.010 Authorization to initiate amendments. An amendment to the text of this title or the zoning map may be initiated by the city council, by the planning commission or by application of a property owner or his authorized agent. The planning commission shall, within 40 days after a hearing, recommend to the city council approval, denial, or modification of the proposed amendment. An amendment to the text or the zoning map may be consolidated with a related amendment to the comprehensive plan text or map. [Ord. 1170 § 6, 2007; Ord. 950 § 107, 1991.]

APPROVAL CRITERIA

Amendments to the Zoning Code, Title 17 of the Junction City Municipal Code must comply with Chapter 17.145, Amendments and Oregon’s Statewide Planning Goals. Section 17.145.010 of the Junction City Municipal Code allows property owner to initiate an amendment to the text of the Zoning Code.

CITY AND AGENCY COMMENTS

Referral Requests for Comments were sent to affected agencies on July 17, 2014. Several agencies responded that they were not affected by the proposed amendment to the zoning text; they included CenturyLink, Verizon/MCI, NW Natural and Lane County Surveyor’s Office (Exhibit III). In a related land use application, Lane County Transportation submitted comment noting future development would be subject to applicable requirements of Lane Code Chapter 15 (To see the comment in its entirety, please see annexation application A-14-01, ACTA included with this packet).

PUBLIC COMMENTS

There was one (1) public comment was received. It is attached to this staff report as Exhibit IV. In summary, it states concern regarding the running of diesel engines.

POSSIBLE ACTIONS BY THE PLANNING COMMISSION

The Commission may:

- a. Recommend conditional approval of the Zoning Map Amendment based on the proposed findings.
- b. Recommend modification of the Zoning Map Amendment based on changes to the proposed findings.
- c. Deny the request for a Zoning Map Amendment with findings to support the denial.
- d. Continue the public hearing to a date certain if more information is needed.

EXHIBITS

- I. Proposed Text Amendment
- II. Application
- III. Referral Comments
- IV. Public Hearing Notice and Comment
- V. JCMC Chapters 17.145 (Amendments), 17.15 (Duplex Residential), 17.105 (RV Parks) and 17.130 (Conditional Uses)
- VI. Proposed Final Order (AMD-14-01) Zoning Text Amendment, ACTA LLC

Chapter 17.15
DUPLEX RESIDENTIAL ZONE (R2)

Sections:

- 17.15.010 Uses permitted outright.
- 17.15.020 Conditional uses permitted.
- 17.15.030 Lot size.
- 17.15.040 Setback requirements.
- 17.15.050 Height of buildings.
- 17.15.060 Lot coverage.
- 17.15.070 Setback exceptions.

17.15.010 Uses permitted outright.

In an R2 zone, only the following uses and their accessory uses are permitted outright:

- A. Single and two-family dwellings (duplexes).
- B. A use permitted in the R1 zone.
- C. A use similar to those listed above. [Ord. 1116 § 1, 2003; Ord. 950 § 15, 1991.]

17.15.020 Conditional uses permitted.

In an R2 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Chapter 17.130 JCMC:

- A. A use permitted as a conditional use in an R1 zone.
- B. Multiple-family dwelling, which shall comply with the applicable standards listed in the R3 zone.
- C. Townhome, which shall comply with applicable standards listed in the R3 zone.
- D. Planned unit development.
- E. Neighborhood commercial use less than 5,000 gross square feet which serves the immediate neighborhood, and complies with the applicable neighborhood commercial standards listed in the R3 zone.
- F. Beauty salon and barber shop.
- G. Bed and breakfast facilities; provided, that:
 - 1. No other such facilities exist within 400 feet;

Chapter 17.15
DUPLEX RESIDENTIAL ZONE (R2)

2. The facility is owner-occupied or immediately adjacent to the owner's residence; and
3. Length of stay for guests shall not exceed three days. [Ord. 1116 § 1, 2003; Ord. 950 § 16, 1991.]

H. Recreational Vehicle Park Developments, as regulated by JCMC 17.105.010 provided that:

1. No other such facilities exist within 400 feet; and
2. "The property is located immediately adjacent to an existing commercial zone with a similar use."

17.15.030 Lot size.

In an R2 zone, the minimum lot size shall be as follows:

- A. The minimum lot area for single-family dwellings shall be 5,000 square feet.
- B. The minimum lot area for two-family dwellings (duplexes) shall be 7,000 square feet.
- C. The minimum lot area for multiple-family dwellings shall be 7,500 square feet.
- D. The minimum lot depth shall be 75 feet.
- E. The minimum lot width shall be 50 feet and 35 feet for cul-de-sac lots. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 17, 1991.]

17.15.040 Setback requirements.

Except as provided in JCMC 17.95.060, in an R2 zone, the yards, measured from the property line to the foundation of the building with a maximum projection of three feet into any setback area as defined in JCMC 17.10.070, shall be as follows:

- A. The front yard shall be a minimum of 18 feet to the front facade of the house and a minimum of 20 feet to the garage. Covered but unenclosed porches shall be allowed to be a minimum of 10 feet from the front property line, as long as they do not encroach into a public utility easement and comply with the vision clearance standards in JCMC 17.95.090 (see Appendix A, Diagram 4).
- B. Each side yard shall be a minimum of six feet, measured from the foundation, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet measured from the foundation.
- C. The rear yard shall be a minimum of 15 feet, measured from the foundation. An exception shall be permitted where an accessory dwelling unit, garage, or other

Chapter 17.15
DUPLEX RESIDENTIAL ZONE (R2)

accessory structure is located at the rear lot line abutting an alley, in which case the setback shall be a minimum of four feet.

D. In the case of a duplex residential use on a corner lot where primary vehicular access is provided from two streets, then both yards abutting the street shall be considered the front yard with appropriate front yard setbacks (20 feet from property line to foundation of building). Setbacks for rear yards are measured separately for each residential dwelling opposite the front yard (see Appendix A, Diagram 2). [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 18, 1991.]

17.15.050 Height of buildings.

In an R2 zone, no building shall exceed a height of 35 feet. [Ord. 1116 § 1, 2003; Ord. 950 § 19, 1991.]

17.15.060 Lot coverage.

In an R2 zone, buildings shall not occupy more than 50 percent of the lot area. [Ord. 1116 § 1, 2003; Ord. 950 § 20, 1991.]

17.15.070 Setback exceptions.

In an R2 zone, the following architectural features are allowed to encroach into the setback yards: eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by up to three feet; provided, that the State Fire Code is met. Walls and fences may be placed on property lines, subject to the standards in JCMC 17.95.020. Walls and fences within front yards shall additionally comply with the vision clearance standards in JCMC 17.95.090. [Ord. 1116 § 1, 2003; Ord. 950 § 20A, 1991.]

Application and Traffic Impact Analysis

**Please see Exhibit II attached to the
Annexation Application, included in this
Packet as Agenda Item 5a**



CITY OF JUNCTION CITY
680 Greenwood/P.O. Box 250 Junction City, OR 97448
Phone: 541-998-2153 /Fax: 541-998-3140
www.junctioncityoregon.gov

PLANNING ACTION REFERRAL
REQUEST FOR COMMENTS

Date: July 16, 2014
From: Jordan Cogburn, City Planner, jcplanning@ci.junction-city.or.us
Staff Contact: Jordan Cogburn, City Planner, jcplanning@ci.junction-city.or.us
File #: A-14-01, AMD-14-01 & RZ-14-02

Date Mailed	Referral Agency	Response
	Junction City Administrator – M Bowers	
	Junction City Public Works Director – J Knope (HBH Consulting Engineers)	
	Junction City Police – Chief Chase (subdivisions)	
	Junction City, City Recorder – K Vodrup	
	Junction City Building Official – A Clair, Clair Company	
	Junction City Rural Fire Protection District - Chief Perry	
	Junction City School District – S White	
	Junction City Water Control District	
	Lane County Transportation – L McKinney	
	Lane County Land Management – M Laird	
	Lane Council of Governments - G. Darnielle	
	Lane County Surveyors	
	Lane County Clerk, C Betschart	
	ODOT Region 5, G Juster	
	Oregon Division of State Lands (special form required) (Wetlands)	
	Verizon (developments affecting underground cable Holly St BNSF RR) MCI	
	Century Link Engineering Grp 800.526.3557 (involves UP RR)	
	Comcast Serviceability (e)	
	Pacific Power - Doris Johnston (e)	
	Emerald People Utility District (EPUD) – T Jeffreys (e)	
	NW Natural – B Elder (R Berry-address changes) (e)	
	Lane Transit District – S Luftig (e)	

Applicant: ACTA, LLC
Property Owner: ACTA, LLC
Property Location: The subject parcels include 93660 & 93636 Highway 99S. All eight (8) of the subject parcels are on the west side of Highway 99S, south of David Lane and east of Prairie Road.

Assessors Map and Lot: 16-04-05-32 Lots: 00500, 00509, 00900, 01000, 01001, 01002, 01004 & 01006

Property Area: 13.28 acres

Plan Designation: Commercial/MDR/LDR

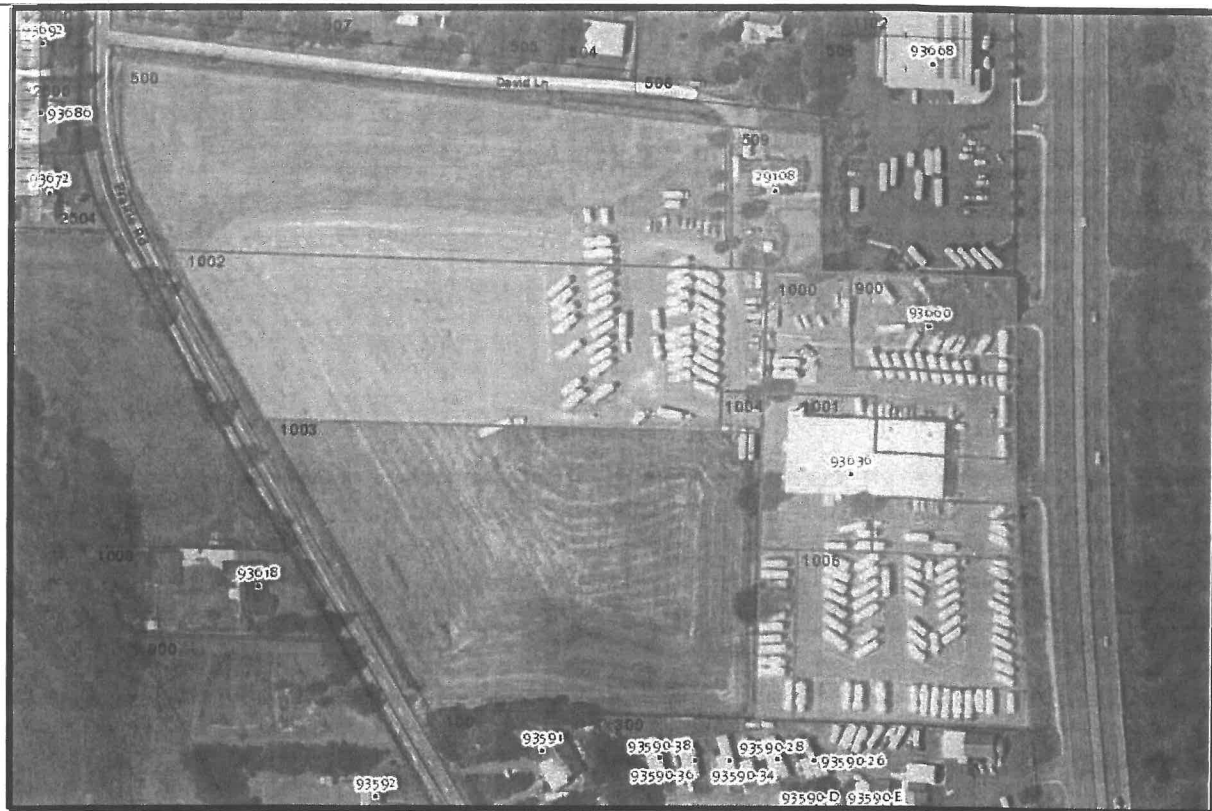
Zoning District: Lane County zonings of RR5 & C3

The applicant is requesting annexation into the city limits of Junction City. An application to rezone the property from County zoning to City zoning is being processed concurrent with the annexation application. The applicant has also submitted an application requesting an amendment to Junction City Municipal Code, Title 17, Zoning, specifically, to Chapter 17.15, R2 (Duplex Residential). The request is to amend Section 17.15.020, Conditional Uses, to add Recreational Vehicle Parks as a conditional use in R2 zones. The subject

property is located on the west side of Highway 99. A map of the location is attached to this referral. The annexation application and the rezone application each include eight (8) parcels 16-04-05-32, lots 500, 509, 900, 1000, 1001, 1002, 1004 & 1006).

This notice is being sent to you for your review, comment, and conditioning. In order for your comments to be included in the staff report, please have your comments in our office by **5:00 p.m. on Thursday, July 31, 2014**. If your comments are brief, you may use the response form below. You may send comments by mail at PO Box 250, Junction City Oregon, 97448; fax to 541.998.3140; or e-mail to jcplanning@ci.junction-city.or.us

_____ We are not affected by the proposal.
_____ We have reviewed the proposal and have no comments.
_____ Our comments are attached.
_____ Our comments are:



NOTICE OF PUBLIC HEARING

JUNCTION CITY PLANNING COMMISSION

TEXT AMENDMENT TO ZONING CODE AMD-14-01

The Junction City Planning Commission will hold a public hearing **Tuesday, August 19, 2014 at 6:30 pm**, at City Hall, 680 Greenwood Street. The purpose of the public hearing is to take written and oral testimony on a proposed text amendment to the Junction City Municipal Code, Title 17, Zoning. The proposed text amendment language is included with this notice. The proposed amendment to the zoning text would add RV Parks as a Conditional Use in the Duplex Residential (R2) zone.

NATURE OF APPLICATION	A proposed text amendment to the Junction City Municipal Code, Chapter 17.15 to add RV Parks as a Conditional Use in the R2
APPLICABLE CRITERIA	Applicable Statewide Planning Goals and provisions of the Junction City Comprehensive Plan Policies and Junction City Municipal Code Title 17.
APPLICANT	ACTA, LLC, 20 Hwy 99, Junction City OR 97448
STAFF CONTACT	Jordan Cogburn, City Planner 541-998-2153 or jcplanning@ci.junction-city.or.us
FILE NUMBERS	AMD-14-01

Citizens may present testimony for or against the request for an amendment to the Zoning text by submitting written comments or by giving oral testimony at the hearing. Written comments must be submitted by Monday, August 11, 2014. Written comments may be:

- submitted in person at City Hall, 680 Greenwood St., weekdays from 8:00 am to 5:00 pm;
- mailed to the Planning Office, City of Junction City, PO Box 250, Junction City OR, 97448;
- faxed to (541) 998-3140; or
- e-mailed to jcplanning@ci.junction-city.or.us

Written comments can also be submitted to the Planning Commission at the Public Hearing on August 19, 2014.

The Planning Commission will review the request for compliance with applicable criteria based upon information in the application, and comments received and make a recommendation to the City Council. The Council in turn will hold a public hearing and make a final decision. Approval of the proposed Zoning text amendment must include affirmative findings that are consistent with the provisions of the Comprehensive Plan and the Zoning Code.

The staff report will be available for review at City Hall seven days prior to the public hearing. Copies of the applicable Code, staff report, and related documents can be viewed at City Hall, or purchased for the cost of copying. The Junction City Municipal Code is on-line at www.junctioncityoregon.gov.

The public hearing will follow the city's land use hearing rules of procedure for a Legislative Decision.

Failure to raise an issue at this opportunity for comment or hearing, in person or by letter, or failure to provide statements or evidence related to an issue sufficient to afford the decision maker an opportunity to respond to the issue, precludes reliance on that issue in any later appeal of the decision that will be made after consideration of statements and evidence submitted, including an appeal to the Oregon Land Use Board of Appeals based on that issue.

Notice to mortgagee, lienholder, vendor, or seller: the Junction City Development Code requires that if you receive this notice, it shall be promptly forwarded to the purchaser.

PROPOSED AMENDMENT TO
CHAPTER 17.15
DUPLEX RESIDENTIAL ZONE (R2)

17.15.010 Uses permitted outright.

In an R2 zone, only the following uses and their accessory uses are permitted outright:

- A. Single and two-family dwellings (duplexes).
- B. A use permitted in the R1 zone.
- C. A use similar to those listed above. [Ord. 1116 § 1, 2003; Ord. 950 § 15, 1991.]

17.15.020 Conditional uses permitted.

In an R2 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Chapter 17.130 JCMC:

- A. A use permitted as a conditional use in an R1 zone.
- B. Multiple-family dwelling, which shall comply with the applicable standards listed in the R3 zone.
- C. Townhome, which shall comply with applicable standards listed in the R3 zone.
- D. Planned unit development.
- E. Neighborhood commercial use less than 5,000 gross square feet which serves the immediate neighborhood, and complies with the applicable neighborhood commercial standards listed in the R3 zone.
- F. Beauty salon and barber shop.
- G. Bed and breakfast facilities; provided, that:
 - 1. No other such facilities exist within 400 feet;
 - 2. The facility is owner-occupied or immediately adjacent to the owner's residence; and
 - 3. Length of stay for guests shall not exceed three days. [Ord. 1116 § 1, 2003; Ord. 950 § 16, 1991.]

H. Recreational Vehicle Park Developments, as regulated by JCMC 17.105.010 provided that:

- 1. No other such facilities exist within 400 feet; and
- 2. The property is located immediately adjacent to an existing commercial zone with a similar use.

Dear Sir/Madam:

As a citizen the following are my objections to the proposed amendment:

- Having a RV Park in the R2 residential zone does not make sense with so much open area around the Junction City vicinity and for the reasons stated herein.
- In a RV Park, diesel engines often run up to 24 hours a day to power onboard-RV items.
- Health concerns arise for the people closely adjacent to the diesel fumes emissions, as has been experienced in the past with RV Gatherings in this location. Residents could not open the windows and walk or sit outside without inhaling the polluted air and suffering the health consequences. Even with the windows closed, the diesel fumes were smelled inside the house. Diesel fumes are a proven carcinogen for lung cancer.
- "Diesel engines are a major source of fine-particle pollution. The elderly and people with emphysema, asthma, and chronic heart and lung disease are especially sensitive to fine-particle pollution. Numerous studies have linked elevated particle levels in the air to increased hospital admissions, emergency room visits, asthma attacks and premature deaths among those suffering from respiratory problems. Because children's lungs and respiratory systems are still developing, they are also more susceptible than healthy adults to fine particles. Exposure to fine particles is associated with increased frequency of childhood illnesses and can also reduce lung function in children." Quoted from Health Effects of Diesel Exhausts, Cal/EPA's & American Lung Association of California fact sheet.
- A personal experience revealed that even an intense, short-term exposure to diesel soot and fumes can lower your immune system, allowing occurrence of the shingles, a skin inflammation caused by the chicken pox virus stored permanently in our spinal cords from a childhood experience of this illness. Recovery required medical treatment.
- The main concern is the health effects that arise from air/water pollution, wastewater disposal, and bad smell of human waste disposal in the close vicinity of

residences.

- Also, in the past with RV Gatherings here, reptiles appear, like lizards and snakes, which were verified not natural to this Oregon area, but instead from the Southeast including Arizona and California. Obviously, the reptiles attached themselves to vehicle undercarriages.
- Find a location that would have minimal pollution effects on air and ground water, especially from the diesel engines running many hours a day and wastewater disposal. Remember, we are not being asked to approve a RV dealer's parking lot, but rather a RV Park with people living inside the RV up to 24 hours a day, in close proximity to many residences.

Sincerely,

Billy T. House

Chapter 17.145 AMENDMENTS

Sections:

- 17.145.010 Authorization to initiate amendments.
- 17.145.020 Application and fee.
- 17.145.030 Public hearing on amendment.
- 17.145.040 Records of amendments.

17.145.010 Authorization to initiate amendments.

An amendment to the text of this title or the zoning map may be initiated by the city council, by the planning commission or by application of a property owner or his authorized agent. The planning commission shall, within 40 days after a hearing, recommend to the city council approval, denial, or modification of the proposed amendment. An amendment to the text or the zoning map may be consolidated with a related amendment to the comprehensive plan text or map. [Ord. 1170 § 6, 2007; Ord. 950 § 107, 1991.]

17.145.020 Application and fee.

An application for amendment by a property owner or his authorized agent shall be filed with the city. The application shall be accompanied by a fee equal to the average cost of such applications as established by the city council. [Ord. 950 § 108, 1991.]

17.145.030 Public hearing on amendment.

A. Notice of Hearing. Notice of time and place of the public hearing before the planning commission and of the purpose of the proposed amendment shall be given by the city in accordance with JCMC 17.150.070 and 17.150.080.

B. Recess of Hearing. The planning commission may recess a hearing in order to obtain additional information or to serve further notice upon other property owners or persons it decides may be interested in the proposed amendment. Upon recessing for this purpose, the commission shall announce the time and date where the hearing will be resumed.

C. Notice and Hearing Before City Council. After the hearing and recommendations have been made by the planning commission, the city council shall hold a public hearing on the proposed amendment. Notices of the hearing shall be by one publication in a newspaper of general circulation in the city not less than five days nor more than 20 days prior to the date of hearing. [Ord. 1112 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 109, 1991.]

17.145.040 Records of amendments.

The city shall maintain a record of amendments to the text of this title and the zoning map in a form convenient for the use of the public. [Ord. 950 § 110, 1991.]

Chapter 17.15
DUPLEX RESIDENTIAL ZONE (R2)

Sections:

- 17.15.010 Uses permitted outright.
- 17.15.020 Conditional uses permitted.
- 17.15.030 Lot size.
- 17.15.040 Setback requirements.
- 17.15.050 Height of buildings.
- 17.15.060 Lot coverage.
- 17.15.070 Setback exceptions.

17.15.010 Uses permitted outright.

In an R2 zone, only the following uses and their accessory uses are permitted outright:

- A. Single and two-family dwellings (duplexes).
- B. A use permitted in the R1 zone.
- C. A use similar to those listed above. [Ord. 1116 § 1, 2003; Ord. 950 § 15, 1991.]

17.15.020 Conditional uses permitted.

In an R2 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of Chapter 17.130 JCMC:

- A. A use permitted as a conditional use in an R1 zone.
- B. Multiple-family dwelling, which shall comply with the applicable standards listed in the R3 zone.
- C. Townhome, which shall comply with applicable standards listed in the R3 zone.
- D. Planned unit development.
- E. Neighborhood commercial use less than 5,000 gross square feet which serves the immediate neighborhood, and complies with the applicable neighborhood commercial standards listed in the R3 zone.
- F. Beauty salon and barber shop.
- G. Bed and breakfast facilities; provided, that:
 - 1. No other such facilities exist within 400 feet;
 - 2. The facility is owner-occupied or immediately adjacent to the owner's residence; and
 - 3. Length of stay for guests shall not exceed three days. [Ord. 1116 § 1, 2003; Ord. 950 § 16, 1991.]

17.15.030 Lot size.

Chapter 17.15
DUPLEX RESIDENTIAL ZONE (R2)

In an R2 zone, the minimum lot size shall be as follows:

- A. The minimum lot area for single-family dwellings shall be 5,000 square feet.
- B. The minimum lot area for two-family dwellings (duplexes) shall be 7,000 square feet.
- C. The minimum lot area for multiple-family dwellings shall be 7,500 square feet.
- D. The minimum lot depth shall be 75 feet.
- E. The minimum lot width shall be 50 feet and 35 feet for cul-de-sac lots. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 17, 1991.]

17.15.040 Setback requirements.

Except as provided in JCMC 17.95.060, in an R2 zone, the yards, measured from the property line to the foundation of the building with a maximum projection of three feet into any setback area as defined in JCMC 17.10.070, shall be as follows:

- A. The front yard shall be a minimum of 18 feet to the front facade of the house and a minimum of 20 feet to the garage. Covered but unenclosed porches shall be allowed to be a minimum of 10 feet from the front property line, as long as they do not encroach into a public utility easement and comply with the vision clearance standards in JCMC 17.95.090 (see Appendix A, Diagram 4).
- B. Each side yard shall be a minimum of six feet, measured from the foundation, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet measured from the foundation.
- C. The rear yard shall be a minimum of 15 feet, measured from the foundation. An exception shall be permitted where an accessory dwelling unit, garage, or other accessory structure is located at the rear lot line abutting an alley, in which case the setback shall be a minimum of four feet.
- D. In the case of a duplex residential use on a corner lot where primary vehicular access is provided from two streets, then both yards abutting the street shall be considered the front yard with appropriate front yard setbacks (20 feet from property line to foundation of building). Setbacks for rear yards are measured separately for each residential dwelling opposite the front yard (see Appendix A, Diagram 2). [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 18, 1991.]

17.15.050 Height of buildings.

In an R2 zone, no building shall exceed a height of 35 feet. [Ord. 1116 § 1, 2003; Ord. 950 § 19, 1991.]

17.15.060 Lot coverage.

In an R2 zone, buildings shall not occupy more than 50 percent of the lot area. [Ord. 1116 § 1, 2003; Ord. 950 § 20, 1991.]

17.15.070 Setback exceptions.

Chapter 17.15
DUPLEX RESIDENTIAL ZONE (R2)

In an R2 zone, the following architectural features are allowed to encroach into the setback yards: eaves, chimneys, bay windows, overhangs, and similar architectural features may encroach into setbacks by up to three feet; provided, that the State Fire Code is met. Walls and fences may be placed on property lines, subject to the standards in JCMC 17.95.020. Walls and fences within front yards shall additionally comply with the vision clearance standards in JCMC 17.95.090. [Ord. 1116 § 1, 2003; Ord. 950 § 20A, 1991.]

Chapter 17.105

RECREATIONAL VEHICLE PARK DEVELOPMENTS

Sections:

17.105.010 Regulations.

17.105.010 Regulations.

A. All such developments shall comply with OAR 918, Division 650, and all other applicable state building or specialty codes.

B. Seven sets of construction drawings and site plans shall be provided the city. The planning commission shall review and approve all site and construction plans prior to local government approval being issued by the city administrator.

C. All perimeters of the park shall be fenced or screened as determined by the planning commission. All street frontages shall provide a suitable fence three and one-half to four and one-half feet in height to restrict the passage of small children or animals. Fences adjacent to streets shall be set back 10 feet from the property line and the intervening area between the property line or sidewalk shall be landscaped. Such landscaping shall provide solid ground cover and at least one tree each 100 lineal feet which will provide a canopy of at least 300 square feet upon maturity.

D. All areas designed for parking or maneuvering of vehicles shall be covered with asphalt or cement.

E. Length of stay for all tenants shall be limited to no more than 45 days in any calendar quarter. The city administrator or designee shall be afforded the right to drive through the property, and review all registration documents.

F. Shower facilities shall be provided at the ratio of at least one shower for each sex for the first 20 spaces and for every 20 spaces thereafter, except when the recreational vehicle park is a facility for self-contained vehicles only. [Ord. 982 § 4, 1994; Ord. 953 § 1, 1991; Ord. 950 Appx. C, 1991.]

Chapter 17.130 CONDITIONAL USES

Sections:

- 17.130.010 Authorization to grant or deny conditional uses.
- 17.130.020 Application for a conditional use.
- 17.130.030 Public hearing on conditional use.
- 17.130.040 Recess of the hearing by the planning commission.
- 17.130.050 Notification of action.
- 17.130.060 Standards governing conditional uses.

17.130.010 Authorization to grant or deny conditional uses.

Conditional uses are those uses which may be appropriate, desirable, convenient or necessary in the district in which they are allowed, but which by reason of their height or bulk or the creation of traffic hazards or parking problems or other adverse conditions may be injurious to the public safety, welfare, comfort and convenience unless appropriate conditions are imposed. Uses designated in this chapter as conditional uses may be permitted, enlarged or otherwise altered upon authorization by the planning commission in accordance with the standards and procedures set forth. In the case of a use existing prior to the effective date of the ordinance codified in this chapter and which is classified in this chapter as a conditional use, any change in use or in lot area or any alteration of the structure shall conform with the requirements dealing with conditional uses.

In permitting a conditional use, the city may impose, in addition to those standards and requirements expressly specified by this chapter, any additional conditions which the city considers necessary to protect the best interests of the surrounding property or the city as a whole. These conditions may include, but are not limited to, increasing the required lot size or yard dimensions; limiting the height of buildings; controlling the location and number of vehicle access points; increasing the street width; increasing the number of off-street parking and loading spaces required; limiting the number, size and location of signs; requiring screening and landscaping to protect adjacent property; and recording such conditions on the property with the county clerk. [Ord. 950 § 98, 1991.]

17.130.020 Application for a conditional use.

A property owner or his authorized agent may initiate a request for a conditional use by filing an application with the city using forms prescribed for the purpose. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development. The planning commission may require other drawings or information necessary to understand the proposed use and its relationship to surrounding properties. The applicant shall pay a fee as established by the city council at the time the application is filed. [Ord. 950 § 99, 1991.]

17.130.030 Public hearing on conditional use.

[Type text]

A. Before the planning commission may act on a request for a conditional use, it shall hold a public hearing. The hearing shall be held within 40 days after the application for the conditional use is filed. Notice of the hearing and criteria for granting or denying a permit shall be as follows:

See JCMC 17.150.080, Notice.

B. Based on the testimony provided at the hearing, the planning commission shall develop findings of fact to justify either approving or denying a conditional use permit. The planning commission may approve such requests when it is determined the request is in conformance with all the following requirements:

1. The proposal is in conformance with the zoning ordinance;
2. The property is adequate in size and shape to accommodate the proposed use, together with all other zoning requirements and any additional conditions imposed by the planning commission;
3. Public facilities are of adequate size and quality to serve the proposed use; and
4. The proposed use will prove, or can be made to be through imposing conditions, reasonably compatible with surrounding properties. [Ord. 1037 § 1, 1997; Ord. 950 § 100, 1991.]

17.130.040 Recess of the hearing by the planning commission.

The planning commission may recess a hearing on a request for a conditional use in order to obtain additional information or to serve further notice on other property owners or persons who it decides may be interested in the request. Upon recessing for this purpose, the commission shall announce the time and date when the hearing will be resumed. [Ord. 950 § 101, 1991.]

17.130.050 Notification of action.

Within five days after a decision has been rendered, the city shall provide the applicant and all opponents with written notice of the city's action on the request for a conditional use. [Ord. 950 § 102, 1991.]

17.130.060 Standards governing conditional uses.

A conditional use shall comply with the standards of the zone in which it is located except as these standards may have been modified in authorizing the conditional use or as otherwise provided as follows:

A. Height Exception. A governmental building may be built to exceed the height limitations of the zone in which it is located to a maximum height of 50 feet if the total floor area of the building does not exceed one and one-half times the area of the site and if the yard dimensions in each case are equal to at least two-thirds of the height of the principal structure.

[Type text]

B. Limitation on Access to Property and on Openings to Buildings. The city may limit or prohibit vehicle access from a conditional use to a residential street and it may limit building openings within 50 feet of a residential property in an agricultural or residential zone if the openings will cause glare or excessive noise or will otherwise adversely affect adjacent residential property.

C. Schools.

1. Nursery schools shall provide and maintain at least 100 square feet of outdoor play area per child. A sight-obscuring fence at least four feet but not more than six feet high shall separate the play area from abutting lots.
2. Primary schools shall provide one acre of site area for each 90 pupils or one acre for every three classrooms, whichever is greater.
3. Elementary schools shall provide one acre of site area for each 75 pupils or one acre for every two and one-half classrooms, whichever is greater.

D. Utility Substation or Pumping Substation. In the case of a utility substation or pumping substation, the city may waive the minimum lot size requirement only if it is determined that the waiver will not have a detrimental effect on adjacent property. [Ord. 1116 § 1, 2003; Ord. 1037 § 1, 1997; Ord. 950 § 103, 1991.]

**PROPOSED FINAL ORDER
AMENDMENT TO JUNCTION CITY MUNICIPAL CODE 17.15
(AMD-14-01)**

The Junction City Planning Commission met on August 19, 2014 and recommended the proposed amendment to the City Council for adoption. The amendment includes a revision to JCMC Chapter 17.15 in order to add RV Parks as a Conditional Use in the R2 Zoning District. The proposed language is included in Exhibit A.

1. A public hearing was conducted on August 19th, 2014 before the Junction City Planning Commission in accordance with procedures established in JCMC 17.150.070.4.D for proposed amendments to the Junction City development ordinances.
2. JCMC 17.150.070.4.D sets forth procedure and notice requirements for amendments to the zoning ordinance, as follows:

“A minimum of two hearings, one before the planning commission and one before the city council, are required for all Type IV applications, except for withdrawals of property from special districts prior to annexations where only a review by the council is required. Procedures for these hearings are set forth in JCMC 17.150.090. Notice of the decision shall be sent to the applicant and any other person who submitted comments on the application during the time allotted for such submissions.”

The Planning Commission held a public hearing on August 19, 2014. A City Council public hearing will be held once the Planning Commission makes a recommendation on the proposed amendments.

5. JCMC 17.150.080.C.2 reads, “If particular properties are to be affected more than, or in a manner significantly different from, other properties of the same general character within the City of Junction City, individual notice shall be prepared and mailed to those affected, including all persons within 300 feet of the affected property.”

Notice of the meeting was submitted to the Register Guard on August 7, 2014, a minimum of 10 days prior to the hearing.

A record of the proposed amendment was made available on the City’s website (August 15, 2014) as well as at City Hall.

Notice of the proposed change to the ordinance was mailed to DLCD, July 3, 2014, no later than the required 35-days prior to the first public hearing with DLCD’s approval.

6. The proposed amendment is in conformance with the Zoning Ordinance and with the Comprehensive Plan. The proposed amendment is consistent with the statewide planning Goals.

1. Goal 1 - Citizen Involvement

OAR 660-015-0000(1) develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process

FINDING: Junction City will follow the prescribed procedures for public hearings before the Planning Commission and City Council as required by Title 17, Zoning of the Junction City Municipal Code.

2. Goal 2 – Land Use Planning

OAR 660-015-0000(2) (PART I – PLANNING): To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

FINDING: The Junction Comprehensive Plan currently serves as the controlling land use document for the City. The proposed amendment provides addition of a Conditional Use in the Duplex Residential Zoning District (R2). The Comprehensive Plan policies provide the overarching framework for implementation of the Zoning Code and the process noted above.

7. Referrals were sent to city departments, and relevant local and state agencies and governments.

Signature:

Jason Thiesfeld, Chairperson Junction City Planning Commission

Approval Date:
